

Forest Service, Recreation, Heritage, and Wilderness Resources Southwestern Region

CHARTER

1. Committee's Official Designation

Arizona National Scenic Trail Advisory Council

2. Authority

The Charter for the Arizona National Scenic Trail Advisory Council (Council) is hereby established pursuant to the implementation of Section 5(d) of the National Trails System Act (Act) (Pub. L. 90-543) as amended through (Pub. L. 111-11) (16 U.S.C. §§ 1241 to 1251), and the Secretary of Agriculture in accordance with the provisions of the Federal Advisory Committee Act (FACA) as amended, 5 U.S.C. App. 2.

3. Objectives and Scope of Activities

The Council will advise and make recommendations to the Secretary of Agriculture, through the Chief of the Forest Service, on matters relating to the Arizona National Scenic Trail (Arizona Trail), as described in the Act.

4. Description of Duties

The Council will be solely advisory in nature. Advice or recommendations of the Council will be given only with respect to the matters relating to the Arizona Trail. All activities of the Council will be conducted in an open, transparent, and accessible manner. The Council will be asked to provide advice on the selection of rights-of-way, standards for the erection and maintenance of markers along the Scenic Trail, and the administration of the Scenic Trail.

5. Agency or Official to Whom the Committee Reports

The Council reports to the Secretary of Agriculture through the Chief of the Forest Service.

6. Support

Clerical and other administrative support will be provided by the USDA Forest Service, Southwestern Region.

7. Estimated Annual Operating Costs and Staff Years

Annual estimated operating costs of the Council is \$15,000. Expenses will be borne by the US Forest Service each year. Federal staff support is estimated at 0.1 staff year per year.

Members of the Council shall serve without compensation, but may, in performance of their duties away from home or regular places of business, be allowed reimbursement for travel expenses, including per diem in lieu of subsistence, as authorized in 5 U.S.C. 5703. All expenses will be subject to the approval of the Designated Federal Officer.

8. Designated Federal Officer

A permanent Federal employee is to be appointed in accordance with agency procedures and will serve as the Designated Federal Officer (DFO). The DFO will approve the advisory committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

9. Estimated Number and Frequency of Meetings

The Council will meet at least once annually, or as often as is necessary to complete its business. A majority of the Council members must be present to constitute an official meeting. The Council or sub-council shall not hold any meetings except at the call of, or with the advance approval of, the DFO. Attendance may be in-person, by telephone, or by other electronic means

All meetings will be open to the public, and all proceedings and relevant documents will be posted and made accessible to the public.

10. Duration

Continuing.

11. Termination

According to Section 5(d) of the Act, the Council shall expire 10 years from the date of establishment unless renewed by proper authority and appropriate action.

12. Membership and Designation

12a. This Committee will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Steps will be taken to encourage fresh points of view, such as establishing staggered membership terms and limiting the number of renewed memberships. The Council will consist of not more than 13 members

who provide balanced and broad representation within each of the following of the interests:

1. The Regional Forester of the Southwestern Region or a designee;
2. The State Director of the Arizona State Office of the Bureau of Land Management (BLM), or a designee;
3. The Regional Director of the Intermountain Region – National Park Service (NPS), or a designee;

And other representatives appointed by the Secretary to 2-year terms.

4. One representative from the State of Arizona (selected from recommendations by the Governor);
5. At least one representative for Tribes;
6. At least one representative from the Arizona State Parks;
7. At least one representative from the Counties and Municipalities;
8. At least two representatives from National Scenic Trails and/or non-motorized trail organizations;
9. At least one representative from Conservation organizations;
10. At least one representative from Gateway Communities;
11. At least one representative from the Ranching Industry;
12. At least one representative from Private landholders

Nominees will be sought through an open and public process that includes, but is not limited to, nominees submitted by tribal governments, county and state governments, community based/non-governmental organizations, and individuals who represent the interests of the public served by National Forest System programs and land resources.

12b. Equal opportunity practices in accordance with USDA policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by USDA, membership will include to the extent possible, individuals with demonstrated ability to represent minorities, women and persons with disabilities.

12c. The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

12d. Of these members, one person who is recognized for his or her ability to lead a group in a fair and focused manner, and who has been briefed on the mission of this Committee will be designated by the Secretary to be the Chairperson. A co-Chairperson may be assigned, especially to facilitate his or her transition to become the Chairperson in the future.

12e. Ethics Statement

To maintain the highest levels of honesty, integrity and ethical conduct, no Committee or subcommittee member shall participate in any “specific party matters” (i.e., matters are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for Committee or Subcommittee members to immediately disclose to the DFO (for discussion with USDA’s Office of Ethics) any specific party matter in which the member’s immediate family, relatives, business partners or employer would be directly seeking to financially benefit from the Committee’s recommendations. Members of the Committee shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, claims, grants, or agreements that involve lands or resources administered by the Forest Service, or in any litigation related thereto. For purposes of this paragraph, indirect interest includes holdings of a spouse or a dependent child.

All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee’s advice and recommendations. Members who are appointed as “Representatives” are not subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector or segment of the public.

Members appointed as “Special Government Employees” (SGEs) are considered intermittent Federal employees and are subject to Federal ethics laws. SGE’s are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

13. Subcommittees

The Forest Service has the authority to create subcommittees. Subcommittees must report back to the parent committee, and must not provide advice or work products directly to the Agency.

14. Recordkeeping

The records of this Committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These

records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

15. Filing Date

March 24, 2014